

## UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON

Emiel A. Kandi, et al

Case Number: 016 JUL 22 2015 3648 RBL

Plaintiff

vs.

Management and Training, et al

Defendant(s)

DECLARATION AND APPLICATION TO PROCEED  
IN FORMA PAUPERIS AND WRITTEN CONSENT  
FOR PAYMENT OF COSTS BY A PRISONER  
BRINGING A CIVIL ACTIONDO NOT use this form if you are bringing a  
Petition for Writ of Habeas Corpus.

## DECLARATION AND APPLICATION TO PROCEED IN FORMA PAUPERIS

I (print your name) Emiel A. Kandi declare I am the plaintiff in this case; I believe I am entitled to relief; and I am unable to pay the costs of this proceeding or give security thereof. The nature of my action is *briefly* stated as follows: Verified Civil Complaint for 23 causes of action primarily based on bank fraud and civil RICO claims under 18 U.S.C.S. §1964(c)

In support of this application, I answer *all* of the following questions:

1. Are you currently incarcerated? YES

☒ Yes If "Yes" state the place of your incarceration Lompoc Federal Correctional Institution

**You must also attach a certified copy of your prison trust account statement showing transactions for the past six months.**

☐ No If "No" do not use this form.

2. Are you presently employed? ☒ Yes Employer Lompoc - Orderly Salary \$6.00/month ☐ No

3. For the past twelve months, list the amount of money you have received from any of the following sources.

a. Business, profession or other self-employment	\$ <u>N/A</u>
b. Income from rent, interest or dividends	\$ <u>N/A</u>
c. Pensions, annuities or life insurance payments	\$ <u>N/A</u>
d. Disability, unemployment, workers compensation or public assistance	\$ <u>N/A</u>
e. Gifts or inheritances	\$ <u>approx 500</u>
f. Money received from child support or alimony	\$ <u>N/A</u>
g. Describe any other source of income	\$ <u>N/A</u>

4. List the amount for each of the following (include prison account funds):

Cash on hand \$ @20.00

Checking Account \$ N/A

Savings Account \$ N/A

5. Do you own or have any interest in any real estate, stocks, bonds, notes, retirement plans, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)?

If Yes, describe the property and state its approximate value:

☐ Yes

N/A

\$

☒ No

6. Are any persons dependent upon you for support? If Yes, state their relationship to you, and indicate how much you contribute toward their support each month. (Do not include names of minor children.)

☒ Yes

Two minor children but I have been unable to support them post incarceration.

\$

☐ No

7. Describe the types of monthly expenses you incur, such as housing, transportation, utilities, loan payments, or other regular monthly expenses and the amount spent each month.

Personal hygiene expenses, very occasional clothing purchases, legal typing ribbons, paper, legal photocopies (very expensive), coffee

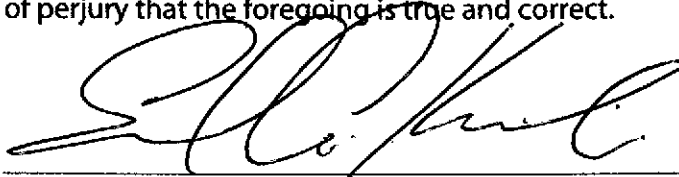
\$ 100.00

8. Provide any other information that will help explain why you cannot pay court fees and costs.

The bank fraud in question crushed my business and destroyed my liquidity. I do anticipate success with my suit and court costs will be paid one way or another they just may have to be paid in installments per this In Forma Pauperis filing.

I declare under penalty of perjury that the foregoing is true and correct.

2016-07-11



Executed on: (Date) Signature of Applicant

### WRITTEN CONSENT FOR PAYMENT OF COSTS UNDER LOCAL RULE CR3(b)

I (print your name) Emiel A. Kandi

hereby consent that any recovery in damages that I may receive in the above-captioned cause may be reduced, if so directed by the court, in such an amount as is necessary for payment of the unpaid fees and costs which are taxed against me in the course of this litigation.

2016-07-11



Executed on: (Date) Signature of Applicant

## ACKNOWLEDGMENT AND AUTHORIZATION

Case Number \_\_\_\_\_

By choosing to bring a civil action, I acknowledge I am responsible for payment of the full \$350.00 filing fee under 28 U.S.C. § 1915. I authorize the agency having custody of me to collect from my account and forward to the Clerk of the United States District Court the initial partial filing fee calculated under the Certification and Calculation section and payments pursuant to 28 U.S.C. § 1915(b).

I understand I am required to make monthly payments of twenty (20) percent of my preceding month's income credited to my account and the agency having custody of me will forward funds to the Clerk of the United States District Court each time the amount in the account exceeds ten (\$10.00) dollars until the filing fee is paid in full.

2016-07-11

Date



Signature of Applicant

Emiel A. Kandi

Committed Name of Applicant

43159-086

Inmate Number

## Inmate Statement



Inmate Reg #: 43159086  
 Inmate Name: KANDI, EMIEL  
 Report Date: 07/12/2016  
 Report Time: 7:30:31 AM

Current Institution: Lompoc FCC  
 Housing Unit: LOF-J-A  
 Living Quarters: J03-0071.

<u>Alpha</u>	<u>Date/Time</u>	<u>Reference#</u>	<u>Payment#</u>	<u>Receipt#</u>	<u>Transaction Type</u>	<u>Transaction Amount</u>	<u>Encumbrance Amount</u>	<u>Ending Balance</u>
LOX	7/8/2016	RIPP0616			Payroll - IPP	\$5.25		\$27.64
LOX	2:59:36 PM							
LOX	7/7/2016	30			Sales	(\$56.20)		\$22.39
LOX	5:31:44 PM							
LOX	7/6/2016	TFN0706			Phone Withdrawal	(\$30.00)		\$78.59
LOX	12:24:04 PM							
LOX	7/6/2016	33316188			Western Union	\$100.00		\$108.59
LOX	11:03:25 AM							
LOX	6/27/2016	27			Sales	(\$51.50)		\$8.59
LOX	5:25:18 PM							
LOX	6/27/2016	TL0627			TRUL Withdrawal	\$20.00		\$60.09
LOX	1:58:22 PM							
LOX	6/27/2016	TL0627			TRUL Withdrawal	(\$30.00)		\$40.09
LOX	11:24:50 AM							
LOX	6/27/2016	70111503			Lockbox - CD	\$50.00		\$70.09
LOX	5:00:50 AM							
LOX	6/21/2016	TFN0621			Phone Withdrawal	(\$17.00)		\$20.09
LOX	11:35:36 AM							
LOX	6/21/2016	TL0621			TRUL Withdrawal	(\$30.00)		\$37.09
LOX	11:34:27 AM							
LOX	6/21/2016	TL0621			TRUL Withdrawal	(\$30.00)		\$67.09
LOX	10:39:29 AM							
LOX	6/20/2016	TL0620			TRUL Withdrawal	(\$30.00)		\$97.09
LOX	8:59:30 PM							
LOX	6/20/2016	TL0620			TRUL Withdrawal	(\$30.00)		\$127.09
LOX	7:27:08 PM							
LOX	6/20/2016	34			Sales	(\$87.15)		\$157.09
LOX	5:37:44 PM							
LOX	6/20/2016	33416172			Money Gram	\$200.00		\$244.24
LOX	3:03:24 PM							
LOX	6/19/2016	TL0619			TRUL Withdrawal	\$30.00		\$44.24
LOX	9:14:45 PM							
LOX	6/13/2016	74			Sales	(\$42.05)		\$14.24
LOX	6:22:13 PM							
LOX	6/12/2016	TL0612			TRUL Withdrawal	\$30.00		\$56.29
LOX	2:46:14 PM							
LOX	6/10/2016	RICP0616			Inmate Co-pay	(\$2.00)		\$26.29
LOX	2:04:57 PM							
LOX	6/10/2016	RFRP0616			FRP Quarterly Pymt	(\$25.00)		\$28.29
LOX	10:03:19 AM							
LOX	6/9/2016	TL0609			TRUL Withdrawal	\$30.00		\$53.29
LOX	2:02:31 PM							
LOX	6/7/2016	TL0607			TRUL Withdrawal	(\$30.00)		\$23.29
LOX	4:46:02 PM							
LOX	6/7/2016	TL0607			TRUL Withdrawal	(\$30.00)		\$53.29
LOX	8:57:37 AM							
LOX	6/6/2016	TL0606			TRUL Withdrawal	(\$30.00)		\$83.29
LOX	8:33:43 PM							
LOX	6/6/2016	39			Sales	(\$13.80)		\$113.29
LOX	5:54:27 PM							
LOX	6/6/2016	38			Sales	(\$92.65)		\$127.09
LOX	5:52:37 PM							
LOX	6/6/2016	TL0606			TRUL Withdrawal	(\$30.00)		\$219.74
LOX	4:55:36 PM							
LOX	6/6/2016	33316158			Western Union	\$200.00		\$249.74
LOX	12:05:34 PM							
LOX	6/5/2016	TL0605			TRUL Withdrawal	\$20.00		\$49.74
LOX	8:00:15 AM							
LOX	6/1/2016	TL0601			TRUL Withdrawal	(\$30.00)		\$29.74
LOX	9:08:53 AM							
LOX	5/31/2016	TL0531			TRUL Withdrawal	(\$30.00)		\$59.74
LOX	6:29:14 PM							
LOX		52			Sales	(\$51.85)		\$89.74

	5/31/2016					
	5:18:46 PM					
LOX	5/31/2016	TFN0531	Phone Withdrawal	(\$60.00)		\$141.59
	4:47:22 PM					
LOX	5/31/2016	TL0531	TRUL Withdrawal	(\$30.00)		\$201.59
	4:45:39 PM					
LOX	5/31/2016	33316152	Western Union	\$200.00		\$231.59
	4:02:55 PM					
LOX	5/31/2016	TL0531	TRUL Withdrawal	\$30.00		\$31.59
	2:11:36 PM					
LOX	5/24/2016	TL0524	TRUL Withdrawal	(\$2.00)		\$1.59
	7:41:55 PM					
LOX	5/24/2016	TL0524	TRUL Withdrawal	(\$5.00)		\$3.59
	6:02:45 PM					
LOX	5/23/2016	TL0523	TRUL Withdrawal	(\$15.00)		\$8.59
	6:56:31 PM					
LOX	5/23/2016	90	Sales	(\$47.40)		\$23.59
	6:43:17 PM					
LOX	5/21/2016	TL0521	TRUL Withdrawal	(\$30.00)		\$70.99
	3:11:28 PM					
LOX	5/21/2016	33316142	Western Union	\$100.00		\$100.99
	9:03:01 AM					
LOX	5/16/2016	53	Sales	(\$52.25)		\$0.99
	6:15:32 PM					
LOX	5/16/2016	TL0516	TRUL Withdrawal	\$20.00		\$53.24
	4:42:31 PM					
LOX	5/16/2016	TL0516	TRUL Withdrawal	\$30.00		\$33.24
	2:34:28 PM					
LOX	5/9/2016	52	Sales	(\$80.05)		\$3.24
	6:39:42 PM					
LOX	5/4/2016	TL0504	TRUL Withdrawal	(\$30.00)		\$83.29
	8:41:43 PM					
LOX	5/4/2016	TFN0504	Phone Withdrawal	(\$30.00)		\$113.29
	7:47:57 PM					
LOX	5/4/2016	TL0504	TRUL Withdrawal	(\$30.00)		\$143.29
	7:38:28 PM					
LOX	5/4/2016	33316125	Western Union	\$100.00		\$173.29
	7:03:54 AM					

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Total Transactions: 56


Totals: \$27.64 \$0.00

Current Balances

<u>Alpha Code</u>	<u>Available Balance</u>	<u>Pre-Release Balance</u>	<u>Debt Encumbrance</u>	<u>SPO Encumbrance</u>	<u>Other Encumbrance</u>	<u>Outstanding Instruments</u>	<u>Administrative Holds</u>	<u>Account Balance</u>
LOX	\$27.64	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$27.64
Totals:	\$27.64	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$27.64

Other Balances

<u>National 6 Months Deposits</u>	<u>National 6 Months Withdrawals</u>	<u>Natioanl 6 Months Avg Daily Balance</u>	<u>Local Max Balance - Prev 30 Days</u>	<u>Average Balance - Prev 30 Days</u>	<u>Commissary Restriction Start Date</u>	<u>Commissary Restriction End Date</u>
\$1,135.74	\$1,108.10	\$24.48	\$244.24	\$21.94	N/A	N/A

x   
Applicant

M. Williams  
Counselor  
7-12-16